

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:96-CR-00010-KDB-DSC-19

USA

v.

ARNOLD ADAMS

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ORDER

THIS MATTER is before the Court upon what the Court will construe as a motion of the defendant *pro se* for compassionate release under 18 U.S.C. § 3582(c)(1)(A) and the First Step Act of 2018. (Doc. No. 601). He contends that he has served too much time. His conclusory and unsupported motion will be denied without prejudice.

Section 603(b) of the First Step Act amended § 3582(c)(1)(A), which previously only allowed a court to reduce a term of imprisonment on motion of the Director of Prisons (BOP). Now a court may entertain a motion filed by a defendant: (1) after full exhaustion of all administrative rights to appeal a failure of the BOP to bring a motion on his behalf; or (2) after lapse of 30 days from the receipt of such a request by the warden of his facility, whichever is less.

Here, defendant cannot obtain relief from this Court when he has not first sought it through the warden at his facility. He has not alleged, nor has he included any documentation, showing that he has requested any such relief from the BOP.

IT IS, THEREFORE, ORDERED, that the defendant's *pro se* motion for compassionate release (Doc. No. 601), is **DENIED** without prejudice to a renewed

motion properly supported by evidence and after exhaustion of his administrative remedies.

SO ORDERED.

Signed: July 16, 2021

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

